

**HENRY COUNTY BOARD OF SUPERVISORS  
MINUTES**

**May 22, 2012 – 3:00 pm**

The Henry County Board of Supervisors held its regular meeting on May 22, 2012, at 3:00 pm in the Board Meeting Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Chairman Jim Adams, Vice-Chairman Tommy Slaughter, Debra Buchanan, H.G. Vaughn, Milton Kendall, and Joe Bryant.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Darrell Jones, Director of Finance; Richard Stanfield, Deputy Director of Finance; Michelle Via, Administrative Assistant; and Susan Reynolds, Director of Human Resources.

Lt. Eric Hairston and Deputy Mike Hooper of the Sheriff's Office were present. Also present were Debbie Hall and Paul Collins of the Martinsville Bulletin, Ron Morris of B99, and Kip Wallace of WBTW.

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

Mr. Hall gave the invocation and Ms. Buchanan led in the Pledge of Allegiance.

**CALL TO ORDER:**

Chairman Adams called the meeting to order and welcomed everyone present. He stated that anyone who wishes to be on the Agenda for the Board's regular business meeting held at 3:00 pm must contact the County Administrator's Office seven days prior to a scheduled meeting. Those wishing to speak at the Board's public meeting starting at 6:00 pm may do so under Agenda Item - Matters Presented by the Public without contacting the County Administrator's Office.

**ITEMS OF CONSENT:**

**Confirmation of Minutes of Meetings**

(Copy included in Board's File).

- April 24, 2012

**Approval of Accounts Payable**

(Copy included in Board's File).

**CONSIDERATION OF RESOLUTION IN HONOR OF THE OAK LEVEL  
RURITAN CLUB'S 40<sup>TH</sup> ANNIVERSARY**

(Copy included in Board's File)

**CONSIDERATION OF UPDATED ARTICLES OF AGREEMENT OF DAN RIVER ALCOHOL SAFETY ACTION PROGRAM**

(Copy included in Board's File)

Ms. Buchanan moved that the Items of Consent be adopted as presented, seconded by Mr. Bryant. The motion carried 6 to 0.

**INTRODUCTION OF PUBLIC SAFETY CAREER PERSONNEL**

Mr. Dale Wagoner was present to introduce the new ALS career staff: Jason Sturm, Stephanie Hopkins, Brandon Hatcher, Brad Beam (who was unable to attend), and Carl Pacifico. Mr. Wagoner thanked the Board for their continued support of the program.

**APPROPRIATION OF THE FY 2012-13 COUNTY BUDGET**

Mr. Summerlin stated that at its April 24, 2012 meeting, the Board of Supervisors adopted the FY 2013 total County Budget, which included setting of tax rates and adoption of the School Budget. Mr. Summerlin said the final step in completing the budget process is appropriating the budget. No County funds can be expended or obligated until an appropriation has been made.

Mr. Vaughn moved that the Board adopt the Appropriations Resolution and attachments as presented, seconded by Mr. Slaughter. The motion carried 6 to 0.

**RIVERSIDE DRIVE NEIGHBORHOOD IMPROVEMENT CDBG PROJECT UPDATE**

Planner/Grant Administrator Mary Ann Mason was present to update the Board on the Riverside Drive project which is nearing completion. Ms. Mason said the County received \$500,000 in CDBG funds from the Virginia Department of Housing and Community Development in late 2009. The three main goals of this neighborhood improvement project were housing rehabilitation, infrastructure/pedestrian safety improvements, and improvement of neighborhood amenities. The County identified 19 potential low-to-moderate income households for participation; of those, the County was able to rehab 13 units bringing them up to building code standards. The project benefited 27 individuals. In addition, the Virginia Department of Transportation secured a grant to install a pedestrian warning system on Fairystone Park Highway between the Bassett Public Library and the Bassett Historical Center which will be completed in 2012. Other minor upgrades to the crosswalk include handicap accessibility improvements. The last goal was to improve neighborhood amenities. Ms. Mason said through donations, the County was able to acquire two parcels of land behind the Bassett Public Library and expand the existing baseball field and picnic area. The expansion enabled the Parks and Recreation Department to install new fencing, bleachers, playground equipment, picnic tables, landscaping and trash cans. Ms. Mason said the recipients were grateful for the County's support of this project.

Mr. Adams thanked Ms. Mason and staff for all of their work on the project.

## **REPORT ON DELINQUENT TAX COLLECTION EFFORTS**

Mr. Scott Grindstaff reviewed the monthly reports on delinquent tax collection efforts. Mr. Grindstaff noted that 95.29% of 2011 personal property taxes have been collected; 92.39% of 2011 real estate taxes; and since the first of January, TACS has collected approximately \$204,000. In addition, Mr. Grindstaff said there are 251 in-house accounts and 75 VRW stops collected in the month of May.

Ms. Buchanan asked who actually places the VRW stops on accounts. Mr. Grindstaff said TACS places the stops. Ms. Buchanan inquired about meals tax collection. Mr. Grindstaff said there are two or three delinquent accounts and a lien was recently placed on one of those.

## **MONTHLY UPDATE FROM THE MARTINSVILLE-HENRY COUNTY ECONOMIC DEVELOPMENT CORPORATION**

Mr. Mark Heath, President of the Martinsville-Henry County Economic Development Corporation, was present to make the monthly update to the Board. Mr. Heath reviewed a summary of activities by division (Copy included in Board's File). Mr. Heath said the EDC is working with a total of 28 projects, including 14 active projects.

## **TRANSFER APPROPRIATION AND AWARD OF CONTRACT RE: EMERGENCY MEDICAL DISPATCH PROGRAM – 9-1-1 COMMUNICATIONS CENTER**

Mr. Summerlin said J. R. Powell, director of the 9-1-1 Center, is requesting Board permission to use \$11,224 originally appropriated for implementation of Emergency Medical Dispatch toward the purchase of seven replacement radio console computers. Mr. Summerlin said the total amount needed for the upgraded computers is \$36,400, so the purchase also would require the transfer of additional funds from several other 9-1-1 categories. Mr. Powell is also requesting that the Board award the contract for the items to GSC Electronics of Martinsville.

Mr. Bryant moved that the Board approve the transfer appropriation and award the contract to GCS Electronics as outlined, seconded by Mr. Kendall and carried 6-0.

## **AWARD OF CONTRACT RE: REPLACEMENT COMPUTERS – SHERIFF'S OFFICE**

Mr. Summerlin said Sheriff Perry and Christian Youngblood, director of the Information Services department, are asking the Board to award a contract in the amount of \$20,468.40 to Dell Computers for the purchase of 10 laptop computers for the Sheriff's Office. Funding for the purchase is included in the current budget, including \$14,000 approved by the Board last month for capital items out of the current budget.

Mr. Kendall moved that the Board award the contract to Dell Computers in the amount of \$20,468.40, seconded by Mr. Slaughter and unanimously carried.

### **AWARD OF CONTRACT RE: REPLACEMENT RIDING MOWER – PARKS AND RECREATION**

Mr. Summerlin said Roger Adams is asking the Board to award a contract in the amount of \$18,900 to Anderson Tractor & Equipment of Rocky Mount for the purchase of a replacement front-deck riding mower.

Mr. Kendall made a motion that the Board award the contract as outlined, seconded by Mr. Slaughter and carried 6 to 0.

### **AWARD OF CONTRACT RE: REPLACEMENT MAINTENANCE TRUCK – PARKS AND RECREATION**

Mr. Summerlin said Roger Adams is asking the Board to award a contract for the purchase of a replacement maintenance truck. Colonial Ford and Truck Sales of Richmond was the lowest bidder at \$22,755.18. Funding for this purchase was included in the Board's approval of the FY 2013 Budget as part of current-year expenditures.

Mr. Slaughter made a motion that the Board award the contract to Colonial Ford and Truck Sales in the amount of \$22,755.18 as requested, seconded by Mr. Kendall and unanimously carried.

### **CONSIDERATION OF REQUIRED COMMENT PERIOD FOR 2012 JAG GRANT – SHERIFF'S OFFICE**

Mr. Summerlin said the Sheriff's Office has been designated to receive \$19,296 for the 2012 JAG grant cycle to pay for overtime for increased enforcement. One requirement of this grant is that the governing body provides a public comment period of 30 days. Mr. Summerlin said all comments should be directed to the attention of Lt. Col. Steve Eanes. After the completion of the 30-day comment period, the item would be placed on a future Board agenda for action regarding acceptance and appropriation of the grant.

Mr. Bryant moved that the Board formally establish the 30-day comment period commencing today, seconded by Mr. Vaughn and carried 6 to 0.

### **CONSIDERATION OF NEW REQUIREMENTS OF THE VIRGINIA RETIREMENT SYSTEM**

Mr. Summerlin said the 2012 General Assembly and Governor Bob McDonnell ushered through several changes regarding the Virginia Retirement System and the requirements of localities and their employees going forward. Mr. Summerlin said as part of those changes, localities have the option of phasing in a 5% payment mandated of their employees over five years (1% a year) or paying the 5% immediately. Each of these options would be partially offset with a comparable pay raise. Mr. Summerlin said an analysis by our Finance Department indicates the phase-in of 1% a year over 5 years is the best path forward and would save the County over \$200,000. In addition, each locality must choose whether it wants to pay a certified contribution rate of 12.97% or an alternate rate of 9.51%, with a "catch-up" payment required at some point if the

alternate rate is chosen. Mr. Summerlin said staff's analysis indicates the certified contribution rate is the most viable option. Mr. Summerlin said each locality is required to formally inform the Commonwealth of its choices on each of these issues through adoption of the appropriate resolutions.

Mr. Adams asked Dr. Jared Cotton, School Superintendent, if the School Board will follow similar actions. Dr. Cotton said they had not yet decided. Mr. Summerlin said he had expressed his concerns to Dr. Cotton should they choose the 5% option because it will cost the taxpayers several hundred thousand dollars.

Ms. Buchanan moved that the Board adopt the VRS resolutions as proposed, seconded by Mr. Kendall and unanimously carried.

## **AWARD OF CONTRACT RE: SOUTH STREET HOUSING REHABILITATION PROJECT**

Mr. Summerlin said the South Street Housing Rehab Board approved the low bid from Piedmont Construction in the amount of \$59,400 for the substantial reconstruction of property at 56 South Street, Bassett.

Mr. Slaughter made a motion that the Board award a contract to Piedmont Construction in the amount of \$59,400 for property at 56 South Street, Bassett, seconded by Mr. Bryant and carried 6 to 0.

## **INFORMATIONAL ITEMS**

### **Comments from the Board**

Ms. Buchanan urged everyone to try to attend one of the many Memorial Day services scheduled for this weekend.

Mr. Summerlin said Ms. Drusilla Carter of the Blue Ridge Library is present if the Board has any questions during break concerning the transition of the Bassett Historical Center away from the library system.

## **CLOSED MEETING**

Mr. Slaughter moved that the Board go into a closed meeting at 3:36 p.m., seconded by Ms. Buchanan and unanimously carried to discuss the following.

- 1) §2.2-3711(A)1 for Discussion of Appointee to the Parks and Recreation Board, Economic Development Corporation, Patrick Henry Community College Board, and Piedmont Community Services Board.
- 2) §2.2-3711(A)7 for Consultation with the County Attorney re: Pending Legal Matters.
- 3) §2.2-3711(A)3 for Consultation with the County Attorney re: Acquisition/Disposal of Real Estate.

- 4) §2.2-3711(A)5 for Consultation with the County Attorney re: Discussion of As-Yet Unannounced Industries.
- 5) §2.2-3711(A)1 for Discussion of Personnel Matters.

### **OPEN MEETING:**

The Board returned to an open meeting at 5:10 p.m. on a motion by Mr. Bryant, seconded by Ms. Buchanan and unanimously carried.

### **CERTIFICATION OF CLOSED MEETING:**

Mr. Hall read the Certification of the Closed Meeting and took a roll call vote. Those voting in the affirmative were Mr. Vaughn, Mr. Bryant, Mr. Kendall, Ms. Buchanan, Mr. Slaughter, and Mr. Adams.

Parks and Recreation Board – Mr. Vaughn moved that the Board reappoint Mike Smith as the Ridgeway District representative and Sandra Adams, Blackberry District, to three-year terms ending June 30, 2015, seconded by Ms. Buchanan and unanimously carried.

Economic Development Corporation – Ms. Buchanan made a motion that the Board reappoint Butch Hamlet to a three-year term ending June 30, 2015, seconded by Mr. Slaughter and carried 6-0.

Patrick Henry Community College Board – Mr. Bryant moved that the Board reappoint Barry Jarrett, Becky Lovell, and Bonnie Favero to four-year terms ending June 30, 2016, seconded by Mr. Vaughn and unanimously carried.

Piedmont Regional Community Services Board – Mr. Slaughter made a motion that the Board reappoint Tony Millner and Carol Nelson to three-year terms ending June 30, 2015, seconded by Ms. Buchanan and carried 6 to 0.

Deed of Gift Re: Raeburn A. French and Betty J. French – Ms. Buchanan moved that the Board accept the gift deed from Raeburn and Betty French for certain parcels along the Smith River, seconded by Mr. Bryant and unanimously carried.

Mr. Adams recessed at 5:13 p.m. until the 6:00 evening meeting.

Mr. Adams called the meeting back to order at 6:00 p.m. and welcomed everyone present.

### **MATTERS PRESENTED BY THE PUBLIC**

There was no one present who wished to speak

### **PUBLIC HEARING: CONSIDERATION OF CHANGES TO THE HENRY COUNTY LITTER ORDINANCE**

Last month, County Attorney George Lyle requested that the Board set a public hearing to consider changes to the County's litter ordinance. Mr. Lyle said there are

some inconsistencies in the current litter ordinance regarding penalties. After meeting with Mr. Lee Clark and Commonwealth's Attorney Bob Bushnell, Mr. Lyle said he has some proposed changes to the ordinance that will hopefully clarify those penalties. In addition, Mr. Lyle said some other wording changes were made to reflect changes and improvements in the solid waste management system and improvements in technology. Also, Mr. Lyle said Mr. Slaughter requested some additional changes just before the meeting, that human-powered vehicles such as rowboats, canoes, and bicycles not be exempted from ordinance provisions that, among other things, presume the operator of a vehicle is responsible for any litter thrown out.

Mr. Adams opened the public hearing at 6:05 pm. Speaking in favor of the proposed changes in the litter ordinance were Brian Williams with the Dan River Basin Association and Lisa Hall of the Smith River Trout Unlimited Chapter. Both were appreciative of the Board's efforts to combat litter issues in the area. There being no one else who wished to speak, Mr. Adams closed the public hearing at 6:07 pm.

After some general discussion, Ms. Buchanan moved that the Board adopt the changes to the litter ordinance as proposed by Mr. Lyle and Mr. Slaughter, seconded by Mr. Slaughter and unanimously carried.

### **GENERAL HIGHWAY MATTERS**

Ms. Lisa Hughes, Residency Administrator for the Virginia Department of Transportation, was present to update the Board on General Highway Matters.

Ms. Hughes requested that the Board consider passing a resolution requesting VDOT to take a 0.14-mile-long section of Pioneer Trail into its road system.

Mr. Bryant moved that the Board accept the resolution as proposed to add the extension of Pioneer Trail into the state's road system for maintenance, seconded by Mr. Slaughter and carried 6 to 0.

- Mowing is underway throughout the County.
- Working on two safety projects: 1) Route 58 at Carver Road; and 2) Route 220 south of Oak Level; approximately two years to construction on both projects
- Mr. Vaughn and Ms. Hughes cautioned motorists, on June 1, those going to and from graduation at Magna Vista must use Soapstone Road. Ms. Hughes said Lee Ford Camp Road will be coned off.

### **REQUEST FOR "WATCH FOR CHILDREN" SIGN ON PROVIDENCE LANE, HORSEPASTURE DISTRICT**

Ms. Buchanan requested a "Watch for Children" sign on Providence Lane in the Horsepasture District. Ms. Hughes said there is currently no speed limit posted on the road in question and she feels reducing the speed limit to 25 mph and posting a sign will be more effective than a "Watch for Children" sign.

There being no further business to discuss, Mr. Slaughter moved to adjourn at 6:18 pm, seconded by Ms. Buchanan and carried 6 to 0.